

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

New Rules

■ CHILD CARE

The DEPARTMENT OF HUMAN SERVICES adopted amendments to Child Care (89 IAC 50; 39 Ill Reg 9731) effective 11/23/15. These amendments replace companion emergency amendments that were effective 7/1/15 (39 Ill Reg 10072) and were modified in response to a JCAR Objection on 11/9/15. The adopted rule limits participation in the Child Care Assistance Program (CCAP) to the following groups when DHS lacks sufficient appropriations or resources to serve all eligible applicants: recipients of Temporary Assistance for Needy Families (TANF); teen parents enrolled full-time in classes toward completion of a high school diploma or GED; families with special needs children; and working families with incomes at or below 162% of the Federal Poverty Level (changed since 1st

Notice from 50% FPL) for their family size. These limitations will remain in effect until DHS has sufficient resources to serve all eligible applicants. The rulemaking increases monthly CCAP co-payments based on family size and income level (for example, monthly co-pays for a family of 4 now range from \$2 to \$380 per month instead of \$1 to \$262 per month); updates family income thresholds corresponding to the normal income eligibility limit of 185% FPL; and requires license-exempt child care providers to verify that they meet the criteria for exemption. It also includes added or clarified definitions of "child care provider," "member of the household", and "special needs child". Since 1st Notice, DHS has removed provisions requiring CCAP-eligible families with an absent parent to pursue collection of child support through the Department of Healthcare and

Family Services and requiring fingerprint-based criminal background checks for relative child care providers. Child care providers and clients of the CCAP program are affected by this rulemaking.

TANF & SNAP BENEFITS

DHS also adopted amendments to Temporary Assistance for Needy Families (89 IAC 112; 39 Ill Reg 5955) and Supplemental Nutrition Assistance Program (SNAP) (89 IAC 121; 39 Ill Reg 5980), both effective 12/1/15, allowing TANF and SNAP recipients with budgetable earnings to apply for redetermination of eligibility every 12 months, instead of every 6 months. In place of the current 6-month redetermination, the client will submit an interim report form during the 5th month

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NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.

RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

New Rules

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between redeterminations. Changes in income or other eligibility criteria that are noted on the interim report will take effect in the month following the month in which the report was due.

Questions/requests for copies of the 3 DHS rulemakings: Tracie Drew, DHS, 100 S. Grand Ave. East, 3rd Fl., Springfield IL 62762, 217/785-9772.

■ INCOME TAX

The DEPARTMENT OF REVENUE adopted an amendment to Income Tax (86 IAC 100; 38 Ill Reg 21758), effective 11/18/15, changing the formula for transportation companies to calculate the amount of their income that is attributable to Illinois and subject to Illinois tax. For the tax year 2009 and later, the formula for transportation services other than airlines is the sum of all receipts

from movement/shipment of persons or goods entirely within Illinois, plus gross receipts from the Illinois portion of interstate movements/shipments, divided by total revenue from all transportation services. (Prior to 2009, Illinois income was determined by dividing total revenue miles by the number of revenue miles earned in Illinois.) "Revenue mile" is defined as transporting for one mile any of the following: one net ton of freight, one passenger, one barrel of oil, 1,000 cubic feet of natural gas, or any other specified quantity of a substance other than oil or gas. Airline revenue does not include flyovers of flights not departing or arriving in Illinois. For flights originating or ending in Illinois, mileage between the airport and the Illinois border is considered. For water vessels that operate on waters not entirely inside or outside of Illinois, 50% of total miles on that water shall be attributed to Illinois. Trans-

portation companies are affected by this rulemaking.

Questions/requests for copies: Paul Caselton, DOR Legal Services, 101 W. Jefferson, Springfield IL 62794, 217/524-3951.

PUBLIC INFORMATION

The STATE BOARD OF EDUCATION adopted amendments to Access to Information of the State Board of Education under the Freedom of Information Act (2 IAC 5001; 39 Ill Reg 15615), effective 11/23/15, adding the fee schedule for providing copies of public records as an appendix instead of merely providing a web link to the fee schedule.

Questions/requests for copies: Karen Corken, SBE, 100 W. Randolph, Suite 14-300, Chicago IL 60602, 312/814-2220.

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the December 15, 2015 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

ILLINOIS STUDENT ASSISTANCE COMMISSION

General Provisions (23 IAC 2700; 39 Ill Reg 12183) proposed 9/18/15

Grant Program for Exonerees (23 IAC 2743; 39 Ill Reg 12818) proposed 9/18/15

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Second Notices

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DEPT OF CHILDREN AND FAMILY SERVICES

Reports of Child Abuse and Neglect (89 IAC 300; 39 Ill Reg 1) proposed 1/2/15

Placement and Visitation Services (89 IAC 301; 39 Ill Reg 19) proposed 1/2/15

Services Delivered by the Department of Children and Family Services
(89 IAC 302; 39 Ill Reg 47) proposed 1/2/15

Access to and Eligibility for Child Welfare Services (89 IAC 304; 39 Ill Reg 62) proposed 1/2/15

Adoption Services for Children for Whom the Department of Children and Family Services is
Legally Responsible (89 IAC 309; 39 Ill Reg 74) proposed 1/2/15

Permanency Planning (89 IAC 315; 39 Ill Reg 98) proposed 1/2/15

Administrative Case Reviews and Court Hearings (89 IAC 316; 39 Ill Reg 123) proposed 1/2/15

Interstate Placement of Children (89 IAC 328; 39 Ill Reg 137) proposed 1/2/15

Service Appeal Process (89 IAC 337; 39 Ill Reg 143) proposed 1/2/15

Appeal of Foster Family Home License Denials by Relative Caregivers
(89 IAC 338; 39 Ill Reg 153) proposed 1/2/15

Authorized Child Care Payment (89 IAC 359; 39 Ill Reg 159) proposed 1/2/15

Licensing Standards for Foster Family Homes (89 IAC 402; 39 Ill Reg 165) proposed 1/2/15

Joint Committee on Administrative Rules

Senator Pamela Althoff

Senator Bill Brady

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Senator Karen McConnaughay

Senator Tony Muñoz

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